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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

U. S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
FILED

JUN 25 2002

ROBERT H. SHEPHERD, CLERK  
BY [Signature] DEPUTY

PAMELA R. SUD, M.D.  
Plaintiff

CIVIL ACTION NO.: 01-0850-M

VERSUS

JUDGE ROBERT G. JAMES

LNT, INC., FORMERLY LINENS'N THINGS,  
ET AL  
Defendants

MAGISTRATE JAMES D. KIRK

**PETITION FOR LETTER ROGATORY**

NOW INTO COURT, through undersigned counsel, come defendants, LNT, INC., FORMERLY LINENS'N THINGS and LIBERTY MUTUAL INSURANCE COMPANY, who respectfully show:

1.

This case involves a product liability issue and the alleged manufacturer, ROSE GARDEN/SMARTCORD and its president, Roger Wang, are located in Taipei, Taiwan.

2.

The alleged manufacturer possesses information which is necessary for a just determination of the liability issue before the Court, and Appearers desire that a Letter Rogatory be issued to the appropriate Judicial Authority in Taiwan requesting that such Authority issue the necessary judicial process to assist this Court, pursuant to 28 U.S.C. 1696 and Federal Rule of Civil Procedure, Rule 4(f)(2)(b).

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3.

Defendants have filed an Answer and Third-Party Demand naming ROSE GARDEN/SMARTCORD and its president, Roger Wang, as third-party defendants. Appearers desire that this Court authorize the Judicial Authority in Taiwan pursuant to Rule 4(f)(2)(b) of the Federal Rules of Civil Procedure authorizing such Judicial Authority to effect service of process on ROSE GARDEN/SMARTCORD and ROGER WANG.

WHEREFORE, Appearer prays that the above-described Letter Rogatory be issued pursuant to 28 U.S.C. 1696 and Federal Rule of Civil Procedure, Rule 4f2(b) to the appropriate authorities in Taiwan.

RESPECTFULLY SUBMITTED,

THEUS, GRISHAM, DAVIS & LEIGH, LLP  
1600 Lamy Lane  
P. O. Drawer 4768  
Monroe, Louisiana 71211-4768  
(318) 388-0100  
(318) 322-8813 - Fax

By: Allison J. McCain  
ALLISON J. MCCAIN (#27716)

ATTORNEYS FOR LNT, INC., FORMERLY  
LINENS'N THINGS AND LIBERTY MUTUAL  
INSURANCE COMPANY

**CERTIFICATE**

I do hereby certify that a copy of the above and foregoing pleading has this day been mailed via U.S. Mail, postage prepaid, to all counsel of record

Monroe, Louisiana, this 25 day of June, 2002.

Allison J. McCain  
OF COUNSEL

# United States District Court

WESTERN

DISTRICT OF

LOUISIANA

## SUMMONS IN A CIVIL ACTION

Pamela R. Sud, M.D.

V.

CASE NUMBER: 01-0850-M

LNT, Formerly Linens'N Things, et al

JUDGE: Robert J. James

MAGISTRATE JUDGE: James D. Kirk

TO: (Name and Address of Defendant)

Rose Garden/Smartcord, Through its Agent for Service of Process, Roger Wang  
4f, No. 2, Scc2, Chung-Chen Road  
Taipei, Taiwan

**YOU ARE HEREBY SUMMONED** and required to file with the Clerk of this Court and serve upon

**PLAINTIFF'S ATTORNEY** (name and address)

James M. Edwards  
Theus, Grisham, Davis & Leigh, L.L.P.  
1600 Lamy Lane  
Monroe, LA 71201

an answer to the complaint which is herewith served upon you, within 20 days days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

ROBERT H. SHEMWELL

CLERK

DATE

5-1-02

BY DEPUTY CLERK



UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION

PAMELA R. SUD, M.D.  
Plaintiff

CIVIL ACTION NO.: 01-0850-M

VERSUS

JUDGE ROBERT G. JAMES

LNT, INC., FORMERLY LINENS'N THINGS,  
ET AL  
Defendants

MAGISTRATE JAMES D. KIRK

**LETTER ROGATORY**

TO: THE APPROPRIATE JUDICIAL AUTHORITY IN TAIWAN

In the United States District Court, Western District of Louisiana, Monroe Division, there is pending the above-captioned suit and it appears to this Court the just determination of issues presented in these matters requires service of process of the third-party demand on third-party defendants, ROSE GARDEN/SMARTCORD and ROGER WANG.

It is therefore requested that you assist this Court in serving the interest of justice and issue the appropriate subpoena or other judicial process under the procedural laws of Taiwan to require the service of process upon ROSE GARDEN/SMARTCORD and ROGER WANG whose address is 4f, No. 2 Sec2, Chung-Chen Road, Taipei, Taiwan. This Court is ready and willing to extend the same courtesies to Taiwan in a similar case upon request.

THUS DONE AND SIGNED in Monroe, Louisiana, this \_\_\_\_ day of

\_\_\_\_\_, 2002.

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JUDGE, UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA,  
MONROE DIVISION